

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

HOUSTON DIE CASTING COMPANY,)	CASE NO. 1:03CV1033
)	
Plaintiff,)	JUDGE JOHN R. ADAMS
)	
v.)	
)	
EATON CORPORATION,)	<u>DEFENDANT EATON</u>
)	<u>CORPORATION'S PROPOSED</u>
Defendant.)	<u>WITNESS LIST</u>
)	

Pursuant to this Court's Trial Order, Defendant Eaton Corporation ("Eaton") respectfully submits the following proposed witness list:

A. Ralph Johnson

Mr. Johnson is expected to testify regarding the development of the business relationship between Eaton and Plaintiff, the terms of the Sourcing Agreement at issue in this litigation, and quality concerns arising from HDC's performance under the Sourcing Agreement.

B. Gene Hetrick

Mr. Hetrick is expected to testify regarding quality concerns arising from HDC's performance under the Sourcing Agreement, Eaton's efforts to assist HDC in resolving these concerns, and Eaton's quality control standards.

C. Kunle Idonije

Mr. Idonije is expected to testify regarding the business relationship between Eaton and Plaintiff, quality concerns arising from HDC's performance under the Sourcing Agreement, and Eaton's decision to terminate the Sourcing Agreement.

D. Marvin Miller

Mr. Miller is expected to testify regarding Eaton's quality control standards, Eaton's relationship with Plaintiff, and Plaintiff's application of internal quality control protocols to reduce the number of defective parts produced under the Sourcing Agreement. Miller's testimony may be provided through designation of the deposition transcript.

E. Jerry Moulton

Mr. Moulton is expected to testify regarding Eaton's preliminary review of Plaintiff's facilities, its relationship with Plaintiff, quality concerns arising from HDC's performance under the Sourcing Agreement, Eaton's efforts to assist HDC in resolving these concerns, and Eaton's quality control standards.

F. Roger E. Hester

Mr. Hester is expected to testify regarding Eaton's initial review of Plaintiff as a potential source for parts and the development of Eaton's relationship with Plaintiff.

G. Al Vondra

Mr. Vondra is Eaton's expert on Plaintiff HDC's alleged damages and is expected to testify on that subject.

H. Harold Gluckman

To be called as on cross-examination. Mr. Gluckman is the principal for Plaintiff HDC and is expected to testify regarding the terms of the Sourcing Agreement at issue in this matter and quality issues arising from HDC's performance under the Sourcing Agreement.

I. Gary Wiseman

To be called as on cross-examination. Mr. Wiseman is the broker involved in setting up the Sourcing Agreement and is expected to testify as to communications between the parties

regarding Eaton's standards and expectations, and quality issues arising from HDC's performance under the Sourcing Agreement.

J. Jim Verega

To be called as on cross-examination. Mr. Verega worked for Plaintiff HDC and is expected to testify as to communications between the parties regarding Eaton's standards and expectations, and quality issues arising from HDC' performance under the Sourcing Agreement.

K. Satya Kothari

To be introduced through cross-designation of deposition testimony. Mr. Kothari served as a buyer for Eaton and is expected to communicate on the subject of Eaton's relationships with HDC and other die casters (to the extent such testimony is permitted by the Court).

Respectfully submitted,

s/ Mathew Beredo
Jose Feliciano (0024508)
JFeliciano@bakerlaw.com
Mathew B. Beredo (0070160)
Mberedo@bakerlaw.com
BAKER & HOSTETLER LLP
3200 National City Center
Phone: (216) 621-0200
Fax: (216) 479-8780

Attorneys for Defendant
Eaton Corporation

CERTIFICATE OF SERVICE

A copy of the foregoing was served electronically and by regular U.S. mail upon John E. Schiller, Esq., of Walter & Haverfield LLP, 1301 East Ninth Street, Suite 3500, Cleveland, Ohio 44114-1824, this 25th Day of February, 2005.

s/ Mathew B. Beredo
One of the Attorneys for Defendant Eaton
Corporation